

Notice of Allowability

Application No.

10/645,460

Examiner

David N. Spector

Applicant(s)

OSHIMA ET AL.

Art Unit

2873

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to FAOM.
2. ☒ The allowed claim(s) is/are 1-6.
3. ☒ The drawings filed on 21 August 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☒ Other DETAILED ACTION.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. The aforesaid amendment simply removes extraneous parenthetical information currently included in Claims 1, 3, and 4 of the instant application. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee. Authorization for this examiner's amendment was given in a telephone interview with Kurt F. James on March 11, 2005. Accordingly,

In Claim 1

(Claim 1, Line 2)

delete the text "(a)" from the beginning of the second line.

(Claim 1, Lines 2-3)

delete the text "(CCD, C-MOS or the like)" starting at the end of the second line.

(Claim 1, Line 6)

delete the text "(b)" from the beginning of the seventh line.

(Claim 1, Line 7)

delete the text "(c)" from the beginning of the seventh line.

(Claim 1, Lines 7)

delete the text "(rhombic prism)" from the seventh line.

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In Claim 1 (cont.)

(Claim 1, Line 13)

delete the text "(d)" from the beginning of the thirteenth line.

In Claim 3

(Claim 3, Line 2)

delete the text "(rhombic prism)" from the second line of Claim 3.

In Claim 4

(Claim 4, Line 2)

delete the text "(a)" from the beginning of the second line.

(Claim 4, Lines 2-3)

delete the text "(CCD, C-MOS or the like)" starting at the end of the second line.

(Claim 4, Line 6)

delete the text "(b)" from the beginning of the seventh line.

(Claim 4, Line 7)

delete the text "(c)" from the beginning of the seventh line.

(Claim 4, Lines 7)

delete the text "(rhombic prism)" from the seventh line.

(Claim 4, Line 13)

delete the text "(d)" from the beginning of the thirteenth line.

DETAILED ACTION – ALLOWANCE

Claims 1-6 are allowed. The examiner's statement of reasons for allowance follows.

Reasons for Allowance

The instant application is directed to a multi-focal dual lens system for digital cameras comprising a wide-angle lens placed in front of and aligned with the center of an image sensor; a telephoto lens placed alongside the wide-angle lens, and either a parallelogram prism or a pair of triangular prisms arranged in a novel optical-path-switching configuration wherein the focal length of the camera is changed by moving only the parallelogram prism or the two triangular prisms from side-to-side at the rear of the wide-angle and telephoto lenses, as recited in each of the instant independent claims (Claim 1, Lines 7-12; Claim 3, Lines 7-12). The prior art taken either singly or in combination fails to anticipate or fairly suggest the limitations of applicant's independent claims, in such a manner that a rejection under 35 U.S.C. 102 or 103 would be proper. The claimed invention is therefore considered to be in condition for allowance as being novel and nonobvious over prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Other Remarks/Information

Figures 1 and 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

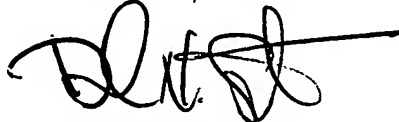
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Stoneham (U.S. Patent No. 4,801,958) discloses dual lens system with a telephoto lens placed in front of and aligned with the center of a film exposure plane; a wide-angle lens placed alongside the telephoto lens, and a pair of mirrors (one fixed, one movable) arranged in another optical-path-switching configuration wherein the focal length of the camera is changed by simply pivoting said movable mirror about a fixed axis/hinge. Kobayashi (U.S. Patent No. 4,204,760) and Hayata et al. (U.S. Patent No. 4,264,175) disclose dual lens film cameras in which the focal length is changed by moving both the wide-angle and telephoto lenses from side-to-side. Ohmura (U.S. Patent No. 4,527,874) discloses yet another dual lens film camera including a pair of mirrors (one fixed, one movable) wherein the focal length is changed by simultaneously pivoting the movable mirror, and moving the wide-angle lens. Copies of these references are not being furnished with this Office action. (See MPEP § 707.05(a).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any other inquiry concerning this communication or earlier communications from the examiner should be directed to David N. Spector whose telephone number is (571) 272-2338. The examiner can normally be reached at this number Monday through Friday between 6:00 AM and 2:30 PM. The fax number for the organization where this application is assigned is (703) 872-9306.

March 14, 2005



DAVID N. SPECTOR
PRIMARY EXAMINER